



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

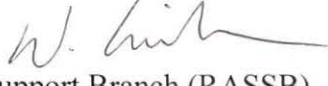
OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

March 7, 2018

Memorandum

Subject: Creosote: Response to Ecological Effects Data Waiver Requests

PC Code(s): 025004	DP Barcode(s)/No(s): 445632
Decision No.: 538171	Registration Number (s): GDCI-025004-1529
Petition No(s): NA	Regulatory Action: Data waivers review
Risk Assess Type: Single Chemical	Case No(s): NA
TXR No.: NA	CAS No(s): NA
MRID No(s): 50448604	40 CFR: NA

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Thru: Laura Parsons, Acting Branch Chief 
RASSB/AD

To: Rachel Ricciardi, CRM
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Regulatory Management Branch/AD

RASSB has reviewed the ecotoxicity data waiver requests submitted by Stella-Jones Corporation in response to the generic data call-in for creosote (GDCI-025004-1529). The waiver requests are for guidelines 850.2100 (avian acute oral) and 850.3020 (honey bee acute contact). The registrant states that there is little opportunity for birds to be exposed to creosote, and that creosote will behave as an avian irritant even if there is exposure. The registrant also states that bees would not be exposed because there is no spray drift and it is highly unlikely that creosote-treated wood structures would support the growth of flowering plants. RASSB has made the following determinations:

Guideline No.	Data requirement	Decision	Rationale
850.2100	Avian, acute oral toxicity	Waived	Not feasible to gavage liquid creosote to birds; however, a label statement is needed (see below)
850.3020	Honey bee, acute toxicity	Denied	Study is required for all antimicrobial active ingredients with wood preservative uses

Avian acute oral toxicity data are typically required for all antimicrobial active ingredients, regardless of the potential for exposure. The data are used to determine if a precautionary

statement is needed on product labels. However, due to the nature of liquid creosote, gavaging birds with creosote is not practical. In lieu of testing, the following statement must be placed under the **Environmental Hazards** statement on product labels:

“This pesticide is toxic to birds”

RASSB notes that the honey bee study is not related to spray drift or to the presence of flowering plants as stated by the registrant. Rather, the study is designed to determine a toxicity endpoint for beneficial insects that may come in contact with treated wood. Therefore, guideline 850.3020 is relevant to creosote and will not be waived.